# BOARD OF COUNTY COMMISSIONERS Agenda Item Summary

Meeting Date	4/21/04	Ε	ivision	County Attorney
AGENDA ITEM WO	RDING	<del></del>		
Approval of settleme U5-00-1104.	ent agreement in Mo	onroe County v. G	ary Yawors	ski and Anita Fox, Case Nun
ITEM BACKGROUN	D			
unpermitted signs i commencing on Octo into compliance but Unfortunately, no co	n the setbacks. Tober 19, 2000. It is it appears that corompliance inspection attorney's office com	The Special Maste unclear from Cou npliance was ach is were called for imenced a review	er had importy records ieved short or done so of old lien	sed due to violations involutions involutions as \$100.00 per day when the property was broadly after the fine was imposed the fine reached \$95,000 as. The uncertainty as to we walue for the fine.
				e than covers the County's c nt of the violations found.
PREVIOUS RELEVA	NT BOCC ACTION	<del></del>		<del></del>
The Board approved	the initiation of colle	ection proceedings	on April 1	6, 2003.
STAFF RECOMMEN	DATIONS	,,	<u>-</u>	
TOTAL COST	<del></del>		UDGETED	Yes No
COST TO COUNTY		S	OURCE OF	FUNDS
APPROVED BY:	County Attorney ■	OMB/Purchasing	g! Risk	Management !
	DIVISION DIRECT	TOR APPROVALÍ	SIA/JOHN	R/COLLINS
DOCUMENTATION:	Included xx	To Follov	v !	Not Required !
	AGENDA ITEM #		59	

# BEFORE THE CODE ENFORCEMENT SPECIAL MASTER OF MONROE COUNTY, FLORIDA The Honorable J. Jefferson Overby, Presiding

## MONROE COUNTY, FLORIDA

Petitioner,

vs.

CASE NO.: U5 00 1104

### GARY YAWORSKI and ANITA FOX,

Respondent(s)

#### SETTLEMENT AGREEMENT

The Petitioner Board of County Commissioners of Monroe County and GARY YAWORSKI and ANITA FOX, Respondent(s), hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent(s) as follows:

- 1. In order to resolve their differences amicably, avoid the expense of litigation, and buy peace in this matter, the parties agree to settle the code enforcement lien recorded at Book 1660, Page 2437 and re-recorded at Book 1661, Page 1823 of the Official Records of Monroe County for \$1,000.00.
- 2. The property in question has a legal description of Lots 8 & 9, Block 1, BAHIA MAR ESTATES Subdivision, KEY LARGO, Monroe County, FL (RE: 00543190-000000 and 00543200-000000).
- 3. Upon approval of this agreement by the Board of County Commissioners, the Respondent(s) shall remit ONE PAYMENT in the amount of \$1000.00, made payable to the Board of County Commissioners.
- 4. Said payment shall be received in the County Attorney's office by the close of business on April 30, 2004 or this agreement is void *ab initio*.
- 5. Once the aforementioned check has cleared, the County will issue to the Respondent(s) a release and satisfaction of said lien for filing by the Respondent(s) in the Official Records of Monroe County.
- 6. The County will file a copy of the release and satisfaction in official the Code Enforcement file.

- 7. By entering into this agreement, the each party agrees to waive any and all claims that it could have raised and/or potential claims that it might have been able to raise as a result of the above-captioned code enforcement case.
- 8. Both parties warrant that they have had an opportunity to consult with counsel before entering into this agreement.
- 9. Each party agrees to bear its own costs and attorney's fees other than as specified in this agreement.

DANNY L. KOLHAGE CLERK:	BOARD OF COUNTY COMISSIONERS OF MONROE COUNTY		
By:	By: Murray Nelson, Mayor		
Dated			
Notarial Mitchic Paul Sullivan	GARY YAWORSKI, Respondent  By: 4/3/04 (date)		
5. #DD037693	ANITA FOX, Respondent  By: Anto A) 4-4-04		
Moran Tanaka	(date)		

This document was prepared and approved for legal sufficiency by:

Robert B. Shillinger, Esq. Assistant County Attorney

Florida Bar No.: 058262

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